IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.40875 of 2008
DHARMENDRA ARYA
Versus
STATE OF BIHAR

Cr.Misc. No.43352 of 2008
RAVI RANJAN
Versus
STATE OF BIHAR
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3. 19.12.2008 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioners apprehend arrest in a Police case under Sections 406, 420 and other provisions of the Penal Code.

Their defence is of a flash flood, river changing its course.

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Learned counsel for the State from the materials in the case diary is unable to point out any technical inspection done after the Bundh was constructed and before it got washed away.

The materials enclosed to the F.I.R. more particularly the communication dated 8.7.2008 after the Bundh got washed away proposes to assess the culpability of the petitioner on basis of the records, measurement book and muster roll when the construction is a technical matter.

Having considered the facts and circumstances of the case, let the petitioners, abovenamed surrender in the court below within a period of four weeks from today, when they shall be enlarged on bail on furnishing bail bonds of Rs. 10,000/-(Rupees ten thousand) with two sureties of the like amount each to the

satisfaction of S.D.J.M., Pupri, Sitamarhi in Sursand P.S. case No.71 of 2008, subject to the conditions laid down under Section 438(2) Cr.P.C.

AKS/ **(Navin Sinha, J.)**

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